

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:15-CR-373-1H

UNITED STATES OF AMERICA :  
 :  
 v. :  
 :  
 TERRELL RICKY SETTLES :

**PRELIMINARY ORDER OF FORFEITURE**

WHEREAS, pursuant to the entry of a plea of guilty by the defendant, Terrell Ricky Settles, on February 8, 2016 to violations of 18 U.S.C. §§ 924(c)(1)(A) and (2), and further evidence of record and as presented by the Government, the Court finds that the following personal property is hereby forfeitable pursuant to 18 U.S.C. § 924(d)(1), to wit: (1) a Smith and Wesson Model SD9VE 9mm handgun, serial no. FWV3640, (2) a Smith and Wesson 9mm Model SD9VE, serial number FWV3642, and (3) a Diamondback DB380, serial no. G5566, and all associated ammunition; and

WHEREAS, by virtue of said finding, the United States is now entitled to possession of said personal property, pursuant to Fed. R. Crim. P. 32.2(b)(3);

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Guilty Plea as to the defendant TERRELL RICKY SETTLES, the United States is hereby authorized to seize the above-stated personal property, and it is hereby forfeited to the

United States for disposition in accordance with the law, including destruction, as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

3. Any person other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853, as required by Fed. R. Crim. P. 32.2(c)(2).

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED. This 13<sup>th</sup> day of June, 2016.

A handwritten signature in black ink, appearing to read "Malcolm J. Howard", written over a horizontal line.

MALCOLM J. HOWARD

Senior United States District Judge